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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/812,754	03/20/2001	Jeffery Davis	10010106-1	8894
22878	7590	01/12/2004	EXAMINER	
AGILENT TECHNOLOGIES, INC. INTELLECTUAL PROPERTY ADMINISTRATION, LEGAL DEPT. P.O. BOX 7599 M/S DL429 LOVELAND, CO 80537-0599			GOOD JOHNSON, MOTILEWA	
		ART UNIT		PAPER NUMBER
		2672		8
DATE MAILED: 01/12/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/812,754	DAVIS ET AL.
	Examiner Motilewa A. Good-Johnson	Art Unit 2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 24 October 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-4 and 6-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-4, 6-24 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

1. This office action is responsive to the following communications: Application, filed 03/20/2001, IDS, paper #2, filed 03/20/2001; Amendment A, filed 06/16/2003; Amendment B, filed 10/24/2003.

This action is made final.

2. Claims 1-4 and 6-24 are pending in this application. Claims 1, 19 and 23 are independent claims. Claim 5 has been canceled. Claim 19 has been amended.

3. The present title of the application is "Scrolling Method Using Screen Pointing Device" (as originally filed).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 2, 6-20 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Tiphane, U.S. Patent Number 5,805,161, "System and Method for Data Processing Enhanced Ergonomic Scrolling", class 345/786, 09/08/1998.

As per independent claim 1, a method of scrolling through information displayed on a display screen . . . comprising: providing a first plurality of user selectable scrolling zones on the display screen . . . associated with a scrolling technique and

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corresponding to scrolling in a first direction; (Tiphane discloses in figures 4A and 4B and in col. 5, lines 38-50); providing a second plurality of user selectable scrolling zones on the display screen, each scrolling zone in the second scrolling zones associated with a scrolling technique and corresponding to scrolling in a second direction . . . ; (Tiphane discloses in figures 4A and 4B and in col. 5, lines 38-50) receiving zone selection information identifying a first one of the scrolling zones selected by a user with the screen pointing device; (Tiphane discloses using a pointing device to select the scroll box from the scroll box menu, col. 5, lines 26-50); scrolling through the displayed information based on the scrolling technique associated with the selected scrolling zone. (Tiphane discloses after the selected scroll box the pointer may be moved to allow the screen to scroll in a desired direction, col. 7, lines 8-23)

With respect to dependent claim 2, scrolling technique corresponds to a scrolling speed. (Tiphane discloses a elevator bar which is moved to perform scrolling process movement by the user, therefore performing a scrolling speed, col. 6, lines 1-18)

With respect to dependent claim 6, first plurality of scrolling zones is positioned substantially adjacent to a top of the display screen . . . second plurality of scrolling zones is positioned substantially adjacent to a bottom of the display screen . . . (Tiphane discloses a menu subsystem with a box menu, i.e. zones, which providing scrolling functions displayed on a screen, col. 4, lines 54-67)

With respect to dependent claim 7, first plurality of scrolling zones is positioned adjacent to a left edge of the display screen . . . second . . . positioned substantially

adjacent to a right edge of the display screen . . . (Tiphane discloses in figures 4A and 4B)

With respect to dependent claim 8, providing a third and fourth plurality of user selectable scrolling zones on the display screen, each scrolling zone in the third plurality of scrolling zones associated with a scrolling technique and corresponding to scrolling in a third direction that is different from the first and the second directions. . . (Tiphane discloses a process for jumping and locking onto an elevator bar of a scroll box when a system call for a scroll box is detected and the process determines a call has been detected and call the appropriate scroll box sub-process, col. 6, lines 50-64, therefore making it inherent that any of the boxes may be called in a subroutine to perform a scroll function)

With respect to dependent claim 9, display a first plurality of zone representation on the display screen . . . (Tiphane discloses displaying a menu subsystem which includes buttons, col. 2, lines 30-13)

With respect to dependent claim 10, zone representations indicates a scrolling technique. . . (Tiphane discloses the menu buttons can be used to select vertical scrolling and horizontal scrolling, col. 6, lines 25-39)

With respect to dependent claim 11, zone representations indicates a boundary of a user selectable scrolling zone. . . (Tiphane discloses a pop up box menu for selection of a scrolling function, col. 5, lines 1-13)

With respect to dependent claim 12, scrolling techniques associated with the scrolling zones are user definable . . . (Tiphane discloses the invention may be augmented by adding menu selections, col. 5, lines 35-37)

With respect to dependent claim 13, user selectable scrolling zones are positioned directly adjacent to one another and spread substantially an entire width of the display screen. (Tiphane discloses in figures 4A and 4B)

With respect to dependent claim 14, user selectable scrolling zones are spaced apart from each other and spread across substantially an entire width of the display screen. (Tiphane discloses a menu subsystem that provides a pop-up box menu on the display screen for selecting a scrolling function, col. 4, lines 54-67)

With respect to dependent claim 15, scrolling zones includes nine scrolling zones organized into three columns and three rows . . . (Tiphane discloses in figures 4A and 4B)

With respect to dependent claim 16, sensing a current position of the screen pointer; identifying a scrolling zone that is positioned near the current position of the screen pointer; and automatically positioning the screen pointer over the identified scrolling zone. (Tiphane discloses calling the application scroll box generated by the pointing subsystem and signaling the menu subsystem to select the scroll button, col. 6, line 56 – col. 7, line 7)

With respect to dependent claims 17 and 18, providing at least one user selectable action zone . . . varying the display modifying action associated with at least one action zone . . . (Tiphane discloses the jump subsystem repositions the

pointer from the scroll box and transmits a signal to the menu subsystem to remove the pop-up box menu from the display screen after selecting a scroll button for performing a scroll function, col. 5, lines 51-67)

As per independent claim 19 and dependent claim 20, they are rejected based upon similar rational as above independent claim 1 and dependent claim 2.

As per independent claim 23, a method for scrolling through information displayed on a display screen of an electronic device . . . comprising: receiving mode selection information from a user . . . ; (Tiphane discloses receiving the signal for selection of a scroll button from a user, col. 5, lines 48-53); receiving movement information provided by a user with the screen pointing device; (Tiphane discloses a jump subsystem which repositions the pointer to a elevator bar, col. 5, lines 53-55); determining a first movement direction . . . ; (Tiphane discloses an elevator bar which performs the scroll function in the from the transmitted signal, col. 5, lines 55-58) moving the screen pointer based on the received movement information; and scrolling the displayed information on the display screen . . . (Tiphane discloses a lock subsystem which locks the pointer to the elevator bar, i.e. moving the pointer, and performing the application screen in a desired scroll function based upon the movement of the pointer with the elevator bar, col. 6, lines 10-24)

With respect to dependent claim 24, wherein at least one of the scrolling zones is defined by hidden boundaries that are invisible to a user of the electronic device. (Tiphane discloses removing the pop-up box menu from the display screen of the display, col. 5, lines 59-60, therefore making the scroll boxes invisible to a user)

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 3-4 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tiphane as applied to claims 1 and 19 above, and further in view of Ishikawa, U.S. Patent Number 5,506,951, "Scroll Bar with Jump Tags", class 345/786, 04/09/1996.

With respect to dependent claims 3 and 4, scrolling technique corresponds to a scrolling granularity. . . scroll granularities include line scrolling, paragraph scrolling, and page scrolling. However, it is noted that Tiphane fails to disclose a scrolling granularity and a scrolling granularity including line scrolling, paragraph scrolling and page scrolling. Ishikawa discloses a jump tag, which performs scrolling by line and page and further discloses a set position. It would have been obvious to one of ordinary skill in the art at the time of the invention to include in the jump subsystem disclosed in Tiphane the line and page scrolling as disclosed in Ishikawa, because Tiphane discloses augmenting the menu selection and to add additional scroll techniques in the menu boxes would provide the user with a variety of selections for scroll techniques.

With respect to dependent claims 21-22, they are rejected based upon similar rational as above dependent claims 3-4 respectively.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Response to Arguments

10. Applicant's arguments filed 10/24/2003 have been fully considered but they are not persuasive.

Applicant argues that the Examiner did not appear to address the limitation that "the first edge is opposite to the second edge." The Examiner addresses this limitation by referring to figures 4A and 4B. Applicant argues that Tiphane fails to disclose a first and second plurality of scrolling zones each corresponding to scrolling in different

directions and position on opposite edges of a screen. Tiphane discloses a box menu on the screen in which a computer application may be scrolled depending on the scroll direction chosen. Applicant argues that the scroll bars are no position on opposite edges of a display screen. It is inherent that the scroll zones disclosed in Tiphane may be positioned in any zone area as a design modification.

Applicant argues that Tiphane fails to teach or suggest a first and second plurality of scrolling zone corresponding to scrolling in different directions. Tiphane discloses nine boxes uses for representing particular functions, col. 5, lines 1-15. Tiphane discloses allowing a user to perform a desired scrolling function. Therefore, it is inherent that the seven other buttons may be used to provide additional scrolling functions.

Applicant argues that Tiphane fails to disclose "each user selectable scrolling zone associated with a scrolling technique and having a user selectable area defined by hidden boundaries". Tiphane discloses that depressing the mouse calls up the pop-up box menu and upon selection of a item in the menu subsystem the pop-up box menu is removed from the display screen and the user moves the elevator bar of the selected scroll function to perform the desired scroll movement. Tiphane does not disclose the boundaries of the zone or menu area are hidden, however it is inherent that once selected the menu boundaries are not present on the screen and the user is able to further perform the selected scrolling technique.

Applicant argues that the Examiner fails to address the limitation of determining a first movement velocity and scrolling the displayed amount in an amount based on the

first movement velocity. The Examiner addresses this limitation as being disclosed in Tiphane as an elevator bar which performs the scroll function from the transmitted signal, col. 5, lines 55-58.

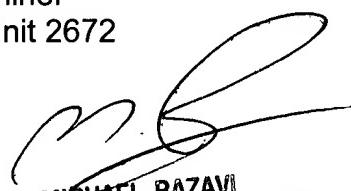
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Motilewa A. Good-Johnson whose telephone number is (703) 305-3939. The examiner can normally be reached on Monday - Friday 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Motilewa A. Good-Johnson
Examiner
Art Unit 2672

mgj
January 6, 2004


MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
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